

### **REMARKS**

Claims 1 through 22 were presented for examination and were rejected. Claim 1 has been amended solely to improve its readability and no change in its scope is intended or desired. Independent claims 8, 15, and 24 have been amended to harmonize the scope of the variable *i* with claim 1. None of the amendments have been made to overcome any prior art, and the applicants respectfully reserve the right to re-introduce the claims as filed in this or another application.

The specification has been amended to fill-in the serial number and filing date of the co-pending application and to change the Attorney's Docket No. for the case.

The applicants appreciate having the Office change the Attorney Docket No. for this case in the PALM system.

The applicants respectfully traverse the rejection and request reconsideration in light of the following remarks.

#### **Information Disclosure Statement**

The applicants filed a properly-formatted information disclosure statement with the original filing of this case, but did not receive the initialed Form PTO-1449 to evince that the Office has considered the cited reference. The applicants would appreciate it if the Office would make sure that it has thoroughly considered the cited reference and forward the initialed Form PTO-1449 with the next communication from the Office.

#### **35 U.S.C. 102 Rejection of Claims 1-32**

Claims 1 through 32 were rejected under 35 U.S.C. 102(e) as being anticipated by R.M. Craig et al., U.S. Patent 6,513,112 B1, issued 28 January 2003 (hereinafter Craig"). The applicants respectfully traverse the rejection.

Claim 1, as amended, recites:

**1.** (Amended) A method comprising:  
populating a cache with a resource only when *at least i* requests for said resource have been received;  
wherein *i* is an integer and is at least occasionally greater than one.  
(*emphasis supplied*)

Nowhere does Craig teach or suggest, alone or in combination with the other references, what claim 1 recites – namely waiting to populate a cache with a resource until –

at least occasionally – two or more requests for that resource have been received. Craig does in fact teach populating a cache – which is well-known in the art – but nowhere teaches or suggests delaying to populate the cache with a resource until two or more requests for that resource have been received.

A careful reading of Craig supports the applicants' contention. The Office action cites Craig at column 12, lines 21-55 as reading on claim 1's limitation "populating a cache with a resource only when *at least i* requests for said resource have been received." Craig states:

The catalog server interaction module or code 506 receives commands from the caller 512 and executes related interface commands during interaction with the catalog server object 502. The caller 512 requests that the client table object 500 execute specific commands related to specific catalog server objects. In other words, when the caller 512 sends a command to the client table object requesting a communication such as a read or a write from or to a catalog server object, the caller preferably provides the client table object 500 with information related to which catalog server object is to be contacted. The catalog server interaction code 506 translates the particular commands from the caller into proper format and conducts the request to the particular catalog server object 502. The code 506 causes a transaction or communication with a catalog server object only when populating the cache with information from a datastore, updating the datastore, or requiring some other control-type transaction. All work on the configuration information is conducted on the local cache 504 and thus, fewer round-trip calls are required than in the case where information is not stored in a cache 504.

The catalog server interaction code 506 interacts with the catalog server object 502 to both populate the cache 504 and update the information in the datastores. That is, the code 506 receives commands from the caller requesting that the cache be populated with a portion of data managed by the catalog server object 502 and based on a supplied query. Code 506 generates and conducts an interaction command to the catalog server object implementing the populate request to populate the cache 504 with the requested information. That is, the catalog server interaction code 506 translates the query into the proper format and requests the information based on the query. The query may be related to the type of information, as opposed to requests that simply identify specific data.

Craig at Col. 12, lines 21-55 (*emphasis added*)

It's clear that this passage does not read on claim 1's limitation "populating a cache with a resource only when *at least i* requests for said resource have been received." In paraphrasing and simplifying the emphasized portion of Craig, Craig teaches that an event (a "transaction" or "communication") occurs only when the cache is populated. This is clearly not the same thing as waiting to populate the cache until an event occurs, which has a different causality, and is even more different than what claim 1 recites, which is waiting

to populate a cache with a resource until two or more requests have been received for that resource.

The remaining portion of Craig fails to cure this deficiency, and, therefore, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claims 2 through 7 depend on claim 1, the applicants respectfully submit that the rejection of them is also overcome.

Claim 8 recites:

**8.** (Original) A data processing system comprising:  
a cache for storing a resource; and  
a processor for populating said cache with said resource only when at least *i* requests for said resource have been received;  
wherein *i* is an integer and is at least occasionally greater than one.  
(emphasis supplied)

For the reasons given above, nowhere does Craig teach or suggest, alone or in combination with the other references, what claim 1 recites – namely waiting to populate a cache with a resource until – at least occasionally – two or more requests for that resource have been received. For this reason, the applicants respectfully submit that the rejection of claim 8 is overcome.

Because claims 9 through 14 depend on claim 8, the applicants respectfully submit that the rejection of them is also overcome.

Claim 15 recites:

**15.** (Original) A method comprising:  
receiving at a first node in a computer network at least one request for a resource;  
retrieving said resource from a second node in said computer network;  
and  
populating a cache in said first node with said resource only when at least *i* requests for said resource have been received at said first node;  
wherein *i* is an integer and is at least occasionally greater than one.  
(emphasis supplied)

For the reasons given above, nowhere does Craig teach or suggest, alone or in combination with the other references, what claim 15 recites – namely waiting to populate a cache with a resource until – at least occasionally – two or more requests for that resource

have been received. For this reason, the applicants respectfully submit that the rejection of claim 15 is overcome.

Because claims 16 through 23 depend on claim 15, the applicants respectfully submit that the rejection of them is also overcome.

Claim 24 recites:

**24.** (Original) A first node in a computer network, said first node comprising:  
a cache;  
at least one receiver for receiving at least one request for a resource;  
and  
a processor for retrieving said resource from a second node in said computer network, and for populating said cache in said first node with said resource only when at least *i* requests for said resource have been received at said first node;  
wherein *i* is an integer and is at least occasionally greater than one.  
(emphasis supplied)

For the reasons given above, nowhere does Craig teach or suggest, alone or in combination with the other references, what claim 24 recites – namely waiting to populate a cache with a resource until – at least occasionally – two or more requests for that resource have been received. For this reason, the applicants respectfully submit that the rejection of claim 24 is overcome.

Because claims 25 through 32 depend on claim 24, the applicants respectfully submit that the rejection of them is also overcome.

**Request for Reconsideration Pursuant to 37 C.F.R. 1.111**

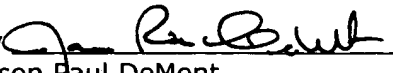
Having responded to each and every ground for objection and rejection in the Office action mailed 15 March 2004, applicants request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

Should there remain unresolved issues the applicants respectfully request that Examiner telephone the applicants' attorney at 732-578-0103 x11 so that those issues can be resolved as quickly as possible.

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Respectfully,  
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